

Message Text

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PAGE 01 CAIRO 11871 161129Z
ACTION L-03

INFO OCT-01 NEA-10 ISO-00 SY-05 SSO-00 /019 W
-----087696 161134Z /21

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FM AMEMBASSY CAIRO
TO SECSTATE WASHDC IMMEDIATE 7325
AMCONSUL KARACHI IMMEDIATE
INFO MSG BN ARL VA IMMEDIATE
SECDEF WASHDC IMMEDIATE

C O N F I D E N T I A L CAIRO 11871

KARACHI FOR RMO AND RSS

EO 11652: GDS
TAGS: ASEC, EG
SUBJ: WALDRON CASE

REF (A) STATE 165629, (B) STATE 165852, (C) CAIRO 11758,
(D) CAIRO 11856,

1. RE REFS A AND B, SOME CLARIFICATION CLEARLY NECESSARY.
HAVE FROM THE OUTSET BEEN PERSONALLY CONCERNED THAT CPL
WALDRON'S RIGHTS, BOTH AS A MARINE AND AS A MEMBER OF EMB-
ASSY STAFF, BE FULLY PROTECTED. TO THIS END, IN ABSENCE MARINE
OFFICER, I YESTERDAY MORNING INSTRUCTED DATT, BG PFAUTZ,
AS SENIOR MIL OFFICER AT POST, TO DESIGNATE ONE OF HIS OFFICERS
TO OVERSEE CASE AND ENSURE THAT CPL WALDRON'S RIGHTS
FULLY PROTECTED. HE DESIGNATED ALUSNA, CAPT BLOCK, USN TO DO
SO. CAPT BLOCK WILL CONTINUE MONITOR CASE UNTIL LTC BRAUN
ARRIVES TO TAKE OVER THAT FUNCTION. HAVE ALSO SENT YESTERDAY
PERSONAL MESSAGE TO GEN WILSON ASSURING HIM WALDON'S RIGHTS
WILL BE GIVEN ALL PROTECTION.

2. IN AGREEING PROVIDE WALDRON'S STATEMENT TO EGYPTIAN
AUTHORITIES, AND ALLOWING HIM TO APPEAR AT POLICE HEARING, I
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 CAIRO 11871 161129Z

HAVE MADE CLEAR WE ARE DOING SO IN SPIRIT OF COOPERATION,
BUT WITHOUT IN ANY WAY WAIVING RIGHTS AND PRIVILEGES OF
CPL WALDRON AS A MEMBER OF EMBASSY STAFF. UP TO NOW AT
LEAST. EGYPTIAN POLICE AUTHORITIES HAVE INDICATED UNDER-
STANDING OF SITUATION. IT IS FRANKLY MY HOPE THAT WE CAN RE-
SOLVE CASE ON AMICALBLE BASIS WITHOUT HAVING TO RESPORT
TO LEGAL POINTS ON WHICH USG AND GOE ARE NOT IN AGREEMENT.

ALL INDICATIONS FROM FAHMY ON DOWN ARE THAT EGYPTIANS, EVEN THOUGHT THEY SEE NO JUSTIFICATION FOR SHOOTING, WANT TO HANDLE THIS AS AN "ACCIDENT" AND WILL COOPERATE IN ALLOWING US MOVE WALDRON OUT ASAP. HOWEVER, CANNOT STRESS ENOUGH THAT THIS IS A POTENTIALLY SERIOUS CASE. UNLESS IT IS HANDLED WITH GREAT CARE AND UNDERSTANDING, IT COULD DO SERIOUS DAMAGE TO OUR RELATIONS WITH GOE AND EGYPTIAN PUBLIC. PRESS HAS ALREADY LEARNED OF INCIDENT AND IS INQUIRING. AS WORD GETS AROUND, SOVIETS AND EAST EUROPEANS MAY BE EXPECTED TO TRY TO MAKE HAY OUT OF IT.

3. RE ART 37 OF VIENNA DIPLOMATIC RELATIONS CONVENTION, AS WE UNDERSTAND IT, GOE HAS ENTERED RESERVATION TO PARA 2 OF THAT TREATY RE PRIVILEGES AND IMMUNITIES FOR ADMINISTRATIVE AND TECHNICAL STAFF. WHILE USG DOES NOT CONSIDER GOE RESERVATION ACCEPTABLE, WE HAVE NEVER FORMALLY OBJECTED TO IT (74 STATE 4497, MARCH 7; 74 STATE 102912, MAY 17, PARA 4). IN GOE EYES, OUR SILENCE IS READ AS ACQUIESCENCE. WITH THE LEGAL ISSUE UNRESOLVED BETWEEN US, AND NEVER BEFORE TAKEN UP WITH GOE, DOING SO NOW IS NOT THE QUICKEST WAY TO GET THE PROBLEM SETTLED. NOR FROM POLITICAL POINT OF VIEW IS IT THE BEST WAY. IF WE HAVE TO USE IT AS LAST RESORT, WE CAN AND WILL DO SO. BUT I BELIEVE THERE IS GOOD CHANCE THAT THIS WILL NOT BE NECESSARY AND FOR POLITICAL REASONS WE SHOULD TRY TO AVOID DOING SO.

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 CAIRO 11871 161129Z

4. INVESTIGATION HEARING AT POLICE STATION BEING HELD AT 1100 LOCAL TODAY. IN AFOREMENTIONED CONTEXT, I HAVE AGREED THAT WALDRON SHOULD ATTEND ACCOMPANIED BY RSO (PLUS SY OFFICE INTERPRETER) AND CONSULAR OFFICER. IN DOING SO, I HAVE INSTRUCTED RSO GIVE POLICE AUTHORITIES WRITTEN STATEMENT, SIGNED BY ME, THAT WALDRON'S APPEARANCE AND OUR COOPERATION IS IN NO WAY INTENDED WAIVE WALDRON'S IMMUNITY AS A MEMBER OF THE EMBASSY STAFF. MY WHOLE PURPOSE IN THIS EXERCISE IS TO PROTECT WALDRON WITHOUT ALLOWING INCIDENT TO HURT OUR RELATIONS AS IT CAN EASILY DO IF CAVALIERLY HANDLED.

5. WITH ALL OF THIS SAID, WE NEED THINK ABOUT MOVING WALDRON OUT OF EGYPT SOON AS EGYPTIAN AUTHORITIES AGREE. AS ADDRESSEES AWARE, FAHMY AND OTHERS HAVE ADVISED THIS FOR WALDRON'S OWN PROTECTION. AFTER SHOOTING INCIDENT, HE COULD NOT IN ANY CASE CONTINUE SERVE HERE. DO NOT KNOW EXACTLY WHEN INVESTIGATION WILL BE COMPLETED, BUT HOPE IT MAY BE NEXT FEW DAYS. ON CONTINGENCY BASIS, WOULD APPRECIATE NEEDED AUTHORIZATION TO MOVE WALDRON OUT AS SOON AS WE CAN.

6. I WELCOME LSTC BRAUN'S PROPOSED VISIT TO CAIRO.

7. WILL KEEP ADDRESSEES INFORMED AS CASE EVOLVES.
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Message Attributes

Automatic Decaptioning: X
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Channel Indicators: n/a
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Concepts: n/a
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Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
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Disposition Event:
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TAGS: ASEC, EG
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